

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

ACUTE CARE AMBULANCE	§	
SERVICE, L.L.C.,	§	
		§
Plaintiff,	§	
		§
vs.	§	
		§
ALEX M. AZAR II, Secretary,	§	CIVIL ACTION NO. 7:20-cv-217
UNITED STATES	§	
DEPARTMENT OF HEALTH	§	
AND HUMAN SERVICES,	§	
		§
Defendant.	§	

**JOINT MOTION TO STAY THE ORDER FOR CONFERENCE AND
DISCLOSURE OF INTERESTED PARTIES**

COMES NOW Plaintiff Acute Care Ambulance Service, L.L.C. and Defendant Alex M. Azar II (collectively “the Parties”) and after conferring, hereby move to stay the Court’s Order for Conference and Disclosure of Interested Parties (ECF No. 12), and allege and aver as follows:

1. On August 7, 2020, Plaintiff filed its Verified Complaint for Injunctive Relief and Declaratory Relief and Attorney Fees (ECF No. 1).
2. On August 10, 2020, the Court ordered a for Conference and Disclosure of Interested Parties (ECF No. 2). The Order set an initial pretrial and scheduling conference for October 14, 2020, at 9:00 AM. *Id.*
3. Additionally, the Order stated that the Parties were to confer and shall prepare and file at least 10 days before the conference a Joint Discovery/Case Management Plan. *Id.*

4. On October 2, 2020, Parties filed a Joint Motion to Stay the Order for Conference and Disclosure of Interested Parties (ECF No. 10). The Initial Conference was reset for December 15, 2020 (ECF No. 12).

5. On December 1, 2020, Parties conferred and are in agreement that in the interest of the Parties, it is appropriate for the Court to stay the Court's Order until after the Court rules on Defendant's Motion to Dismiss (ECF No. 14), and Plaintiff's Motion for Preliminary Injunction (ECF No. 8).

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully request a stay of the Court's Order for Conference and Disclosure of Interested Parties until after Defendant responds to Plaintiff's complaint.

Respectfully submitted,

KENNEDY
Attorneys and Counselors at Law

/s/ C. Trey Scott _____
MARK S. KENNEDY
State Bar of Texas No. 24000122
LURESE A. TERRELL
State Bar of Texas No. 24008139
C. TREY SCOTT
State Bar of Texas No. 24083821
12222 Merit Drive, Suite 1750
Dallas, TX 75251
Telephone: (214) 445-0740
Fax: (972) 661-9320
trey@markkennedylaw.com

ATTORNEYS FOR PLAINTIFF

RYAN K. PATRICK
United States Attorney

/s/ Jose Vela Jr. (with permission)
Jose Vela Jr.
Assistant United States Attorney
Attorney in Charge
Fed ID# 25492
Texas State Bar No. 24040072
1000 Louisiana Street, Suite 2300
Houston, Texas 77002
713.567.9000
713.718.3303 (fax)

OF COUNSEL:

Robert P. Charrow
General Counsel

Mervin Turner
Chief Counsel

Rama Lagadapati
United States Department of Health and Human Services
Office of the General Counsel, Region VI
1301 Young Street, Suite 714
Dallas, Texas 75202

CERTIFICATE OF SERVICE

On December 2, 2020, a true and correct copy of the forgoing reply was served on all counsel of record through the CM/ECF system.

/s/ C. Trey Scott
C. TREY SCOTT